



RECEIVED
JAN -3 2003
TECHNOLOGY CENTER 2800

BOX AF
REPLY UNDER 37 C.F.R. § 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 2834

PATENT
2565-0225P

#9/Response
Shan
1/7/03

IN THE U.S. PATENT AND TRADEMARK OFFICE

| | | | |
|------------|--|-----------|--------------|
| Applicant: | Shusou WADAKA et al. | Conf.: | 9099 |
| Appl. No.: | 09/778,872 | Group: | 2834 |
| Filed: | February 8, 2001 | Examiner: | Mark O. BUDD |
| For: | FILM ACOUSTIC WAVE DEVICE AND ITS MANUFACTURING METHOD AND CIRCUIT DEVICE | | |

RESPONSE

Assistant Commissioner for Patents
Washington, DC 20231

January 2, 2003

Sir:

The following remarks are respectfully submitted in response to the Office Action dated October 9, 2002, in connection with the above-identified application.

REMARKS

Applicants respectfully submit the following remarks in an effort to clarify the record for appeal.

First, the Examiner erroneously states in the outstanding Office Action that "applicant [previously] argued that the prior art taught devices with the same properties on each wafer, [and] now applicant argues [that] they show different properties on the same wafer." Applicants have never changed position in the